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ABSTRACT

This report provides statistics about juveniles in the criminal justice system, whether handled as adults in criminal courts or handled in juvenile courts. In the 75 largest U.S. counties, juveniles transferred to criminal courts represented about 1% of all felony defendants. Two thirds of juveniles transferred to criminal court were charged with a violent offense, including 11% charged with murder. Of the juveniles transferred to criminal courts, 63% were black males, 29% were white males, 3% were black females, and 2% were white females. Fifty-nine percent of the juveniles transferred to criminal court were convicted of a felony, and 52% of those convicted of a felony were sentenced to prison. The average prison sentence was about 9 years. Of juveniles formally processed in juvenile courts, 48% were white males; 36%, black males; 7%, white females; and 5%, black females. Fifty-five percent of juvenile defendants formally processed in juvenile courts were adjudicated delinquent. Of these juveniles, 40% received a disposition of residential placement, and 50% received formal probation. The methodology used to develop the statistics is discussed. Four appendixes discuss judicial processing of young offenders, estimating the number of juveniles handled in adult courts, juveniles adjudicated as adults in the federal system, and the jurisdictions used in two major samples of juvenile defendants. (Contains 14 tables.) (SLD)

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Bureau of Justice Statistics
Special Report

September 1998, NCJ 165815

State Court Processing Statistics, 1990-94

Juvenile Felony Defendants in Criminal Courts

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In the Nation's 75 largest counties, juveniles handled as adults in criminal courts represented about 1% of all felony defendants. State statutes define which persons are under the original jurisdiction of the juvenile court system. In 1994, 39 States and the District of Columbia defined the upper age limit of juvenile court jurisdiction at age 17. The remaining 11 States set the upper age limit below age 17. Three States (Connecticut, NewYork, and North Carolina) defined 16- and 17-year-olds as adults. Eight States (Georgia, Illinois, Louisiana, Massachusetts, Michigan, Missouri, Texas, and South Carolina) defined 17-year-olds as adults.

Each State legislature, however, has put in place mechanisms that enable persons classified as juveniles in the State to be transferred to the adult justice system and handled in criminal court. These mechanisms include judicial waiver, concurrent jurisdiction, and statutorily excluding certain offenses from juvenile court jurisdiction. (See box on page 7.)

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Highlights

Juvenile defendants in criminal courts

• In the Nation's 75 largest counties, juveniles transferred to criminal courts represented about 1% of all felony defendants.

• Juveniles transferred to criminal court were generally violent felony offenders. Two-thirds were charged with a violent offense, including about 11% with murder, 34% with robbery, and 15% charged with felony assault.

• 63% of juveniles transferred to criminal courts were black males, 29% were white males, 3% were black females, and 2% were white females.

• 59% of juveniles transferred to criminal courts were convicted of a felony, and 52% of those convicted of a felony were sentenced to prison.

• About a third of juveniles in criminal courts sentenced to State prison received a sentence of 4 years or less. The average prison sentence for juveniles convicted in criminal courts was about 9 years; for those convicted of a violent offense, the average prison sentence was nearly 11 years.

Defendants in juvenile courts

• In the 75 largest counties, nearly 2% of juveniles age 15 or older formally handled in juvenile courts were transferred to criminal courts by judicial waiver. Among those referred to juvenile court for murder, 37% were judicially waived to criminal court.

• Of juveniles formally processed in juvenile courts, 48% were white males; 36%, black males; 7%, white females; and 5%, black females.

• 55% of juvenile defendants formally processed in juvenile courts were adjudicated delinquent.

• Among juvenile defendants adjudicated delinquent, 40% received a disposition of residential placement and 50% received formal probation.

Juvenile defendants in the 75 largest counties, 1990, 1992, and 1994

Characteristic	Criminal court	Juvenile court
Male	92%	88%
Female	8	12
White	31%	55%
Black	67	41
Other	2	4
Most serious arrest charge		
Violent	66%	24%
Property	17	46
Drug	14	13

 Jointly Published with the Office of Juvenile Justice and Delinquency Prevention

Table 1. Characteristics of juvenile defendants in criminal and juvenile courts in the Nation's 75 largest counties, 1990, 1992, and 1994

Characteristic	Percent of juveniles in — Criminal court	Juvenile court
Sex		
Male	92%	88%
Female	8	12
Race		
White	31%	55%
Black	67	41
Other	2	4
Age at arrest		
14 and under	8%	--
15	24	36
16	27	35
17	40	26
18 or over	--	3

Note: 1,638 juvenile defendants were prosecuted as adults in the Nation's 75 largest counties during May 1990, 1992, and 1994. 370,424 defendants were formally processed in juvenile courts in a selected number of the Nation's 75 largest counties in 1990, 1992, and 1994. Data on sex of defendants were available for 99% of the cases; on defendants' race, for 85%. General offense categories include offenses other than those displayed. --Adult court sample includes only defendants under 18. Juvenile court sample includes only defendants age 15 or older.

Table 2. Most serious arrest charge for juvenile felony defendants in criminal courts, 1990, 1992, and 1994

Most serious arrest charge	Percent of juvenile defendants in the criminal courts of the Nation's 75 largest counties
All offenses	100%
Violent offenses	66%
Murder	11
Rape	3
Robbery	34
Assault	15
Property offenses	17%
Burglary	5
Theft	8
Drug offenses	14%
Public-order offenses	3%

Note: 1,638 juvenile defendants were prosecuted as adults in the Nation's 75 largest counties during May 1990, 1992, and 1994. Data for most serious arrest charge available for 100% of all cases. Detail may not add to total because of rounding. General offense categories include offenses other than those displayed.

Table 3. Most serious referral offense for juvenile defendants age 15 or older in juvenile courts, 1990, 1992, and 1994

Most serious referral charge	Percent of defendants in juvenile courts of the Nation's 75 largest counties
All offenses	100%
Violent offenses	24%
Murder[a]	--
Rape[b]	1
Robbery	6
Assault	15
Property offenses	46%
Burglary	13
Theft	22
Drug offenses	13%
Public-order offenses	18%

Note: 370,424 defendants were formally processed in juvenile courts in a selected number of the Nation's 75 largest counties in 1990, 1992, and 1994. These defendants were not transferred to criminal court for prosecution. Data for most serious referral charge were available for 100% of all cases. Detail may not add to total because of rounding. The juvenile court sample represents counties from the National Juvenile Court Data Archive that were included in the Nation's 75 largest counties. General offense categories include offenses other than those displayed.
--Less than .05%.
[a]Murder includes manslaughter.
[b]Rape includes other violent sex offenses.

Juveniles in criminal and juvenile courts

This report presents data on juveniles prosecuted as felony defendants in criminal courts within the Nation's 75 largest counties. Comparable data are also presented on juvenile defendants formally processed in the juvenile court system in a selected number of the Nation's 75 largest counties.

Every 2 years the Bureau of Justice Statistics (BJS) gathers information on a sample of felony defendants through the State Court Processing Statistics (SCPS) project. Data for this report were combined from the 1990, 1992, and 1994 data collections. An estimated 7,110 defendants under age 18 faced charges in criminal court during May in the 3-year period — about a fourth (23%) of whom, based on age, would be considered juveniles by State law. Juvenile court data were provided by the National Center for Juvenile Justice (NCJJ).

The National Juvenile Court Data Archive provided data on more than 370,000 juvenile defendants formally processed in juvenile courts in a selected number of counties among the Nation's 75 largest. (See *Methodology* for description of sampled counties from the NCJJ.)

Most serious arrest charge

Criminal court

Among juveniles prosecuted in criminal courts in the Nation's 75 largest counties, two-thirds were charged with a violent felony offense — including robbery (34%), assault (15%), and murder (11%) (table 2). About a sixth were charged with a felony property offense. For the remainder of juveniles in criminal courts, the most serious arrest charge was a drug (14%) or a public-order offense (3%). Public-order offenses include weapons charges, driving-related charges, and other violations of social order.

Juvenile court

An estimated 24% of the defendants in juvenile courts in the Nation's 75 largest counties were referred for violent offenses, about 18% for public-order offenses, and 13% for drug-related offenses (table 3). Slightly less than half of the defendants in juvenile courts were referred for property offenses (46%) — including theft (22%) and burglary (13%).

Demographics

Criminal court

In the Nation's 75 largest counties, 92% of juveniles in criminal courts were male, with the proportion of male offenders varying slightly by offense type (table 4).

Females, who represented about 8% of all juvenile defendants in criminal courts, were charged with a violent offense in over 70% of cases (not shown in table). Over half of female defendants in criminal court were charged with robbery (55%).

Two-thirds of the juveniles in criminal courts were black, almost a third were white, and the remaining defendants were members of other racial groups.

Black males comprised 7 in 10 violent juvenile defendants in criminal courts (not shown in a table). About 65% of juvenile murder defendants in criminal court were black males, 72% of rape defendants, 78% of robbery defendants, 61% of assault defendants, and 65% of defendants charged with other types of violent crime.

Three-fourths of juvenile drug offenses in criminal court involved a black male defendant, as did two-thirds of public-order charges. White males comprised the majority of juveniles charged with burglary (82%).

Juvenile court

As in criminal court, juvenile defendants in juvenile courts were largely male (88%). By offense, males comprised the largest percentages among defendants referred to juvenile court for rape (98%), burglary (94%), and murder (94%) (table 5).

Fifty-five percent of defendants processed in juvenile courts were white, 41% were black, and 4% were members of other racial groups.

Whites accounted for 59% of the murder defendants referred to juvenile court, 51% of assault defendants, 69% of burglary, 56% of theft, and 59% of public-order defendants. Black defendants comprised 53% of defendants referred to juvenile court for rape, 60% of robbery, and 59% of drug defendants.

Overall, black males accounted for about a third of defendants in juvenile courts (not shown in a table). About 40% of violent defendants in juvenile court were black males compared to 70% of violent juveniles in criminal courts. White males accounted for the majority of juvenile defendants referred to juvenile courts for murder (55%) and burglary (64%).

Table 4. Sex and race of juvenile felony defendants in criminal court, by most serious arrest charge: 1990, 1992, and 1994

Most serious arrest charge	Percent of juvenile felony defendants in the 75 largest counties						
	Sex			Race			
	Total	Male	Female	Total	White	Black	Other
All offenses	100%	92%	8%	100%	31%	67%	2%
Violent offenses	100%	92%	8%	100%	25%	73%	2%
Murder	100	96	4	100	25	69	6
Rape	100	89	11	100	28	72	0
Robbery	100	87	13	100	16	82	3
Assault	100	97	3	100	39	61	0
Property offenses	100%	95%	5%	100%	63%	31%	6%
Burglary	100	100	0	100	82	13	4
Theft	100	95	5	100	49	42	9
Drug offenses	100%	92%	8%	100%	19%	81%	0%
Public-order offenses	100%	89%	11%	100%	23%	77%	0%

Note: 1,638 juvenile defendants were prosecuted as adults in the Nation's 75 largest counties during May 1990, 1992, and 1994. Data on sex and race of defendants were available for 99% of all eligible cases. Detail may not add to total because of rounding. Zero indicates no cases in the sample. General offense categories include offenses other than those displayed.

Table 5. Sex and race of juvenile defendants in juvenile court, by most serious referral charge: 1990, 1992, and 1994

Most serious referral charge	Percent of defendants in juvenile courts of the Nation's 75 largest counties						
	Sex			Race			
	Total	Male	Female	Total	White	Black	Other
All offenses	100%	88%	12%	100%	55%	41%	4%
Violent offenses	100%	86%	14%	100%	48%	48%	4%
Murder[a]	100	94	5	100	59	36	5
Rape[b]	100	98	2	100	44	53	3
Robbery	100	92	8	100	37	60	3
Assault	100	82	18	100	51	45	4
Property offenses	100%	88%	12%	100%	61%	35%	4%
Burglary	100	94	6	100	69	26	5
Theft	100	83	17	100	56	40	4
Drug offenses	100%	92%	8%	100%	40%	59%	1%
Public-order offenses	100%	87%	13%	100%	59%	37%	4%

Note: 370,424 defendants were formally processed in juvenile courts of the Nation's 75 largest counties in 1990, 1992, and 1994. These defendants were not transferred to criminal court for prosecution. Data on sex of defendants were available for 100% of cases and for race of defendants, for 88% of all eligible cases. Detail may not add to total because of rounding. The juvenile court sample represents counties from the National Juvenile Court Data Archive that were included in the Nation's 75 largest counties. General offense categories include offenses other than those displayed.

[a]Murder includes manslaughter.

[b]Rape includes other violent sex offenses.

Table 6. Juvenile felony defendants in criminal court released before or detained until case disposition, by most serious arrest charge, 1990, 1992, and 1994

Most serious arrest charge	Juvenile defendants in the criminal courts of the Nation's 75 largest counties: Total	Detained until case disposition	Released before case disposition
All offenses	100%	49%	51%
Violent offenses	100%	56%	44%
Murder	100	87	13
Rape	100	53	47
Robbery	100	45	55
Assault	100	53	47
Property offenses	100%	26%	74%
Burglary	100	34	66
Theft	100	25	75
Drug offenses	100%	37%	63%
Public-order offenses	100%	81%	19%

Note: 1,638 juvenile defendants were prosecuted as adults in the Nation's 75 largest counties during May 1990, 1992, and 1994. Data on pretrial release were available for 93% of all eligible cases. Details may not add to total because of rounding. General offense categories include offenses other than those displayed.

Table 7. Juvenile defendants age 15 or older detained at any time prior to case disposition in juvenile court, by most serious referral charge, 1990, 1992, and 1994

Most serious referral charge	Defendants in juvenile courts of the Nation's 75 largest counties: Total	Detained*	Released
All offenses	100%	35%	65%
Violent offenses	100%	43%	57%
Murder[b]	100	78	22
Rape[c]	100	44	56
Robbery	100	55	45
Assault	100	38	62
Property offenses	100%	29%	71%
Burglary	100	35	65
Theft	100	28	72
Drug offenses	100%	40%	60%
Public-order offenses	100%	35%	65%

Note: 370,424 defendants were formally processed in juvenile courts of the Nation's 75 largest counties in 1990, 1992, and 1994. These defendants were not transferred to criminal court for prosecution. Data on pretrial release were available for 71% of all eligible cases. Details may not add to total because of rounding. The juvenile court sample represents counties from the National Juvenile Court Data Archive that were included in the Nation's 75 largest counties. General offense categories include offenses not shown.
*Includes those who did not post bail.
[b]Murder includes manslaughter.
[c]Rape includes other violent sex offenses.

Pretrial release and detention

Criminal court

Overall, about half of juveniles prosecuted in criminal courts were released prior to the final disposition of their case (table 6). Public-order (19%) and violent (44%) juvenile defendants were the least likely to be released pretrial, while property (74%) and drug (63%) defendants were the most likely.

About half of juveniles in criminal courts charged with robbery (55%), assault (47%), or rape (47%) were released pretrial. Thirteen percent of juvenile murder defendants in criminal courts were released prior to case disposition.

Juvenile court

Over half of violent defendants in juvenile courts were released pretrial (57%), as were about two-thirds of those charged with property (71%), drug (60%), or public-order (65%) offenses (table 7). Among defendants referred to juvenile courts, 22% of murder defendants, 45% of robbery, and 56% of rape defendants were released pretrial.

Adjudication

Criminal court

Nearly two-thirds of juvenile defendants in criminal courts were convicted (table 8). About 9 in 10 of the convictions were for felonies. By general offense category, conviction rates in criminal court were 91% for public-order offenses and 59% for violent offenses.

Table 8. Adjudication outcome for felony defendants defined as juveniles, by most serious arrest charge, 1990, 1992, and 1994

Most serious arrest charge	Percent of felony defendants defined as juveniles in the 75 largest counties: Convicted: Total	Convicted: Felony: Total	Convicted: Felony: Plea	Convicted: Felony: Trial	Convicted: Misdemeanor	Not convicted: Total*	Not convicted: Dismissed	Not convicted: Other outcome[b]
All offenses	64%	59%	51%	8%	5%	27%	25%	9%
Violent offenses	59%	56%	47%	9%	4%	31%	29%	10%
Murder	58	56	37	19	3	31	24	10
Rape	54	54	54	0	0	38	39	8
Robbery	58	56	48	8	2	30	29	12
Assault	63	53	46	7	9	30	26	7
Property offenses	74%	61%	59%	3%	13%	19%	16%	7%
Burglary	77	64	64	0	13	19	9	4
Theft	76	59	54	6	16	16	16	8
Drug offenses	70%	68%	56%	12%	2%	24%	24%	6%
Public-order offenses	91%	91%	91%	0	0	9%	9%	0%

Note: 1,638 juvenile defendants were prosecuted as adults in the Nation's 75 largest counties during May 1990, 1992, and 1994. Eleven percent of all eligible cases were still pending adjudication at the end of the 1-year study period and are excluded from the table. Data on adjudication outcome were available for 85% of those cases that had been adjudicated. Detail may not add to subtotal because of rounding. General offense categories include offenses other than those displayed. Zero indicates no cases in the sample.
*Total not convicted includes acquittals.
[b]Includes other outcomes such as diversions and deferred adjudication.

About 74% of juvenile property defendants in criminal court and 70% of defendants charged with drug offenses were convicted. Juvenile defendants in criminal court charged with public-order or drug charges were the most likely to have received a felony conviction.

In most cases where the juvenile was not convicted in criminal court, it was because the charges against the defendant were dismissed by the prosecutor or the court. Dismissal occurred in about a fourth of juvenile felony cases in criminal court. Nearly 40% of defendants charged with rape had their cases dismissed. Overall, about 2% of juvenile defendants in criminal court were acquitted, including 7% of murder defendants and 11% of burglary defendants. About 9% of juvenile cases in criminal court had other outcomes such as diversion or deferred adjudication.

Table 9. Adjudication outcome for defendants age 15 or above in juvenile courts, by most serious referral offense, 1990, 1992, and 1994

Most serious referral offense	Defendants in juvenile courts of the Nation's 75 largest counties		
		Adjudicated	
	Total	Delinquent	Not delinquent
All offenses	100%	55%	45%
Violent offenses	100%	51%	49%
Murder[a]	100	58	42
Rape[b]	100	55	45
Robbery	100	55	45
Assault	100	48	52
Property offenses	100%	55%	45%
Burglary	100	56	44
Theft	100	57	43
Drug offenses	100%	55%	45%
Public-order offenses	100%	59%	41%

Note: 370,424 defendants were formally processed in juvenile courts of the Nation's 75 largest counties in 1990, 1992, and 1994. These defendants were not transferred to criminal court for prosecution. Data on adjudication outcome were available for 100% of the eligible cases. The juvenile court sample represents counties from the National Juvenile Court Data Archive that were included in the Nation's 75 largest counties. General offense categories include offenses not shown.
[a]Murder includes manslaughter.
[b]Rape includes other violent sex offenses.

Fifty-one percent of juvenile defendants in criminal court pleaded guilty to a felony, and an additional 5% pleaded guilty to a misdemeanor. About 10% of juvenile cases adjudicated within 1 year went to bench or jury trial. A fifth of the trials ended in an acquittal, while the remainder resulted in a guilty verdict.

Regardless of the method of adjudication, defendants who were convicted were usually convicted of the original arrest charge. This was most likely to be the case when the original offense was violent. Among those charged with murder and later convicted, 84% were convicted of the original arrest charge. The corresponding percentages were also high for robbery 87%) and assault (76%).

Juvenile court

Among juvenile defendants formally processed in the juvenile court system, 55% were adjudicated delinquent (table 9). Juvenile adjudication patterns differed little by offense type, as at least half or more in each major offense category were found delinquent.

Table 10. Juvenile felony defendants in criminal court, by conviction offense, 1990, 1992, and 1994

Most serious conviction offense	Juvenile defendants in the criminal courts of the Nation's 75 largest counties Percent
All offenses	100%
All felonies	92%
Violent offenses	51%
Murder	6
Rape	2
Robbery	25
Assault	14
Property offenses	21%
Burglary	7
Theft	10
Drug offenses	15%
Public-order offenses	5%
Misdemeanors	8%

Note: 1,638 juvenile defendants were prosecuted as adults in the Nations' 75 largest counties during May 1990, 1992, and 1994. Data on conviction offense type were available for 100% of cases involving defendants who had been convicted. Detail may not add to total because of rounding. General offense categories include offenses not shown.

Among defendants referred to juvenile court for public-order offenses, 59% were found delinquent, as were 51% of those referred for violent offenses.

Conviction and delinquent adjudication

Criminal court

Overall, about 9 in 10 juvenile convictions in criminal court were felonies, with over half representing violent convictions and a fifth property convictions (table 10). The remainder of juvenile defendants were convicted of drug-related offenses (15%), public-order offenses (5%) or misdemeanor offenses (8%). By conviction offense, 25% of juveniles in criminal court were convicted of robbery, 7% were convicted of burglary, 15% of drug offenses, 14% of felony assault, and 10% of theft.

Juvenile court

Nearly half of defendants in juvenile courts were adjudicated delinquent for a property offense, about a fifth for a violent offense, and a fifth for a public-order offense (table 11).

Table 11. Defendants age 15 or older adjudicated delinquent in juvenile court, by most serious adjudication offense, 1990, 1992, and 1994

Most serious referral offense	Defendants in juvenile courts of the Nation's 75 largest counties Percent
All offenses	100%
Violent offenses	22%
Murder[a]	--
Rape[b]	1
Robbery	6
Assault	14
Property offenses	46%
Burglary	13
Theft	22
Drug offenses	13%
Public-order offenses	19%

Note: 370,424 defendants were formally processed in juvenile courts of the 75 largest counties in 1990, 1992, and 1994. These defendants were not transferred to criminal court. Data on adjudication charge available for 100% of all eligible cases. Details may not add to total because of rounding. General offense categories include offenses not shown. The juvenile court sample represents counties from the National Juvenile Court Data Archive that were included in the 75 largest counties.
--Less than .05%.
[a]Murder includes manslaughter.
[b]Rape includes other violent sex offenses.

Sentencing

Criminal court

Overall, 68% of convicted juveniles in criminal court were sentenced to incarceration in a State prison or local jail (Table 12). Over half of juvenile felony convictions resulted in a sentence to State prison, while over half of juvenile misdemeanor convictions resulted in a sentence to local jail.

Seventy-nine percent of juveniles convicted of violent offenses in criminal court were sentenced to incarceration, with nearly 7 in 10 violent convictions resulting in a sentence to State prison. Half of juveniles in criminal court convicted of drug offenses were sentenced to incarceration, with 34% sentenced to State prison.

Thirty-one percent of juveniles convicted in criminal court were sentenced to probation, and about 1% received other nonincarceration sentences. Forty-six percent of those convicted of drug offenses were sentenced to probation, while 21% of those convicted of violent offenses had a similar outcome. By specific offense type, three-fourths of juveniles in criminal court convicted of burglary were sentenced to probation.

Juvenile court

In juvenile court during this period, 40% of delinquent defendants were sentenced to residential placement, 50% were sentenced to probation, and 10% to other sanctions (table 13). Over half of defendants adjudicated delinquent for murder (77%) and robbery (57%) were sentenced to residential placement.

Among defendants adjudicated delinquent in juvenile court, half were sentenced to probation. Fifty-four percent of those adjudicated delinquent for property offenses and 47% of those adjudicated delinquent for violent offenses received probation.

Table 12. Most serious type of sentence received by convicted juvenile defendants in criminal court, by most serious conviction offense, 1990, 1992, and 1994

Most serious conviction offense	Percent of convicted juvenile defendants in the Nation's 75 largest counties sentenced to--						
		Incarceration			Nonincarceration		
	Total	Total	Prison	Jail	Total	Probation	Fine
All offenses	100%	68%	49%	19%	32%	31%	1%
All felonies	100%	69%	52%	16%	31%	30%	1%
Violent offenses	100%	79%	68%	11%	21%	21%	0%
Murder	100	100	100	0	0	0	0
Rape	100	100	25	75	0	0	0
Robbery	100	75	69	6	25	25	0
Assault	100	73	61	12	27	27	0
Property offenses	100%	57%	32%	25%	43%	40%	3%
Burglary	100	24	24	0	76	76	0
Theft	100	74	38	36	26	26	0
Drug offenses	100%	50%	34%	16%	50%	46%	3%
Public-order offenses	100%	60%	27%	33%	40%	40%	0%
Misdemeanor	100%	62%	5%	57%	38%	32%	6%

Note: 1,638 juvenile defendants were prosecuted as adults in the Nation's 75 largest counties during May 1990, 1992, and 1994. Data on type of sentence were available for 93% of cases involving juvenile defendants who had been convicted. Eight percent of prison sentences and 14% of jail sentences included a probation term. Fourteen percent of prison sentences, 19% of jail sentences, and 13% of probation sentences included a fine. Fines may have included restitution or community service. Total for all felonies includes cases that could not be classified into 1 of the 4 major offense categories. Detail may not add to subtotal because of rounding. General offense categories include offenses not shown. Zero indicates no cases in the sample.

Table 13. Disposition received by juveniles age 15 or older adjudicated delinquent, by most serious adjudicated offense, 1990, 1992, and 1994

Most serious adjudicated offense	Total	Placement	Probation	Other[a]
All offenses	100%	40%	50%	10%
Violent offenses	100%	44%	47%	9%
Murder[b]	100	77	21	2
Rape[c]	100	41	49	10
Robbery	100	57	37	6
Assault	100	38	51	11
Property offenses	100%	35%	54%	11%
Burglary	100	40	53	7
Theft	100	34	53	13
Drug offenses	100%	41%	48%	11%
Public-order offenses	100%	46%	45%	9%

Note: 370,424 defendants were formally processed in juvenile courts of the Nation's 75 largest counties in 1990, 1992, and 1994. These defendants were not transferred to criminal court for prosecution. Data on disposition available for 97% of all eligible cases. Detail may not add to subtotal because of rounding. The juvenile court sample represents counties from the National Juvenile Court Data Archive that were included in the Nation's largest 75 counties. General offense categories include offenses other than those displayed.

[a]Other outcomes includes such things as fines, restitution, and community service.

[b]Murder includes manslaughter.

[c]Rape includes other violent sex offenses.

Mechanisms by which juveniles can reach criminal court

All States allow juveniles to be proceeded against as adults in criminal court under certain circumstances. The following description of mechanisms that States use is summarized from *State Responses to Serious and Violent Juvenile Crime* by Patricia Torbet and others.

In all States except New Mexico, Nebraska, New York, and Connecticut, juvenile court judges may waive jurisdiction over the case and transfer it to criminal court. The waiver and transfer may be based on their own judgment, in response to the State prosecutor's request, or in some States at the request of juveniles or their parents.

In a related provision – called a *presumptive waiver* – juvenile offenders must be waived to criminal court unless they can prove that they are amenable to juvenile rehabilitation.

This type of provision shifts the burden of proof from the prosecutor to the juvenile. As of 1995, 12 States and the District of Columbia had enacted presumptive provisions.

Concurrent jurisdiction statutes, also called *prosecutorial discretion* or *direct-file*, give prosecutors the authority to file certain juvenile cases in either juvenile or criminal court. Ten States and the District of Columbia had concurrent jurisdiction statutes as of 1995.

Statutory exclusion of certain serious offenses from juvenile court jurisdiction is another mechanism in many States. This would also include mandatory waiver provisions. Thirty-six States and the District of Columbia exclude selected offenses from juvenile court jurisdiction. The most common offenses excluded are capital murder, murder of other types, and serious crimes against persons.

Several States exclude juveniles charged with felonies if they have prior adjudications or convictions.

Reverse waiver provisions have been enacted in 22 States that allow the criminal court, usually on a motion from the prosecutor, to transfer excluded or direct-file cases back to the juvenile court for adjudication and/or disposition.

"Once an adult, always an adult" provisions, enacted in 17 States and the District of Columbia, require that once the juvenile court jurisdiction is waived or the juvenile is sentenced in criminal court as a result of direct filing or exclusion, all subsequent cases involving the juvenile offender will be under criminal court jurisdiction. (For information about specific provisions of the various mechanisms listed above, see *Juvenile Offenders and Victims: A National Report*, 1995, pp. 85-89.)

Juvenile murder defendants and arrestees

In the 75 largest counties –

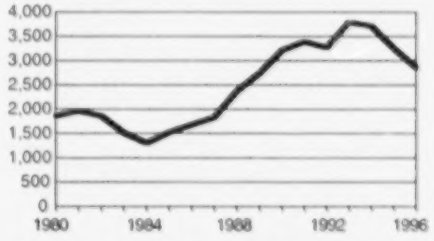
Juvenile murder defendant characteristic	In criminal court	In juvenile court
Sex		
Male	96%	94%
Female	4	6
Race		
White	25%	59%
Black	69	36
Other	6	5
Judicial processing		
Detained pretrial	87%	78%
Convicted/adjudicated delinquent	58%	58%
Sentence for murder convictions		
Prison/secured detainment	100%	77%
Probation	0	21
Maximum prison sentence for murder convictions		
Less than 2 years	8 %	--
2 to 10 years	16	--
10 or more years	76	--

Note: 174 juvenile defendants were prosecuted as adults for murder in the Nation's 75 largest counties during May 1990, 1992, and 1994. 1,343 murder defendants were formally processed in juvenile courts in the 75 largest counties during calendar years 1990, 1992, and 1994. Detail may not add to subtotal because of rounding. Zero indicates no cases in the sample.
--No data were available for length of detainment in juvenile facilities.

In the United States –

- 1,860 persons under age 18 were arrested for murder in 1980.
- The number of persons under 18 arrested for murder peaked in 1993 with 3,790 arrests.
- From 1993 to 1996 the number of murder arrests of those under 18 dropped nearly 25%.

Murder arrests of juveniles



Note: Arrest estimates are based on data reported in the series *Crime in the United States* using an assumption that the annual proportion of juvenile arrests in the reporting sample is the same as in the U.S. population.

Source for Juvenile arrest data: Snyder, H. (1998). *Juvenile Murder Arrests: 1980-96*. Pittsburgh: National Center for Juvenile Justice.

Appendix A. Judicial processing of felony defendants under 25, by State juvenile age definition, 1990, 1992, and 1994

The table shown compares the judicial processing of juvenile felony defendants in criminal courts with that of other young felony defendants. Data on persons younger than 25 years prosecuted in State courts are presented in three categories. The first column includes those defendants between ages 18 and 24 at the time of arrest. The second includes felony defendants under age 18 who, by definition, were considered adults by State age statute. For example, in New York all 16- and 17-year-old defendants were considered adults under 18. Finally, defendants defined by State age statutes as under the original jurisdiction of the juvenile courts were considered juveniles in criminal courts.

An estimated 57,129 felony cases were filed against defendants age 18 to 24 in the State courts of the Nation's 75 largest counties during May 1990, 1992, and 1994. By comparison, 7,110 felony defendants under age 18 were prosecuted in the State courts during a similar time frame. Of these defendants under age 18, 23% or 1,638 cases were defined as juveniles by State statutes and the remaining 77% (5,472 cases) were defined as adults under 18.

	Percent of felony defendants age 18 to 24	Percent of felony defendants under 18 defined as – Adult	Juvenile
Most serious arrest charge			
Violent offenses	26%	36%	66%
Property offenses	35	36	17
Drug offenses	31	22	14
Public-order offenses	8	6	3
Pretrial release for violent felony charge	55%	71%	44%
Adjudication outcome for violent felony defendants			
Convicted			
Felony	45%	39%	56%
Misdemeanor	11	10	4
Not convicted	45	51	41
Most serious sentence for violent convictions			
Prison	57%	41%	68%
Jail	25	7	11
Probation	18	52	21
Mean prison sentence for violent convictions in months	98 mo	97 mo	127 mo

Note: Data for the specific arrest charge were available for 99% of the cases. Detail may not add to subtotal because of rounding.

Juvenile defendants compared to adults 18 to 24

Defendants defined as juveniles in criminal courts were more than twice as likely to be charged with a violent offense than defendants 18 to 24. Among violent felony defendants, juveniles in criminal court were more likely than defendants 18 to 24 to be –

- detained pretrial prior to case disposition
- convicted of a felony offense
- sentenced to State prison.

Juvenile defendants compared to adults under 18

The average prison sentence for juveniles convicted of violent offenses in criminal courts was about 10½ years (a mean of 127 months and a median of 78 months). For adult defendants under 18 the average prison sentence for violent offenses was about 8 years (a mean of 97 months and a median of 72).

Of juveniles sentenced to prison for violent offenses –

- 7% were sentenced to 2 years or less
- 43% from 2+ years to 6 years
- 26% from 6+ years to 10 years
- 22% to over 10 years, and 2% to life imprisonment.

Appendix B. Estimating the number of juveniles handled in adult courts

Sources for statistics on juveniles in adult courts

• The **National Judicial Reporting Program (NJRP)** is a biennial survey that compiles information on the sentences that felons receive in State courts nationwide and on characteristics of the felons. The 1994 survey estimated that 21,000 felons were younger than 18 at arrest, conviction, or sentencing in State courts nationwide. Of these felons, an estimated 12,000 were juveniles convicted of a felony in State courts.

• The **National Survey of State Prosecutors (NSP)** is a nationally representative sample drawn from a list of all prosecutors' offices that handle felony cases in State courts. The 1996 NSP estimated that 27,000 juveniles were proceeded against in criminal court by prosecutors' offices.

• The **National Juvenile Court Data Archive** which is supported by OJJDP grant number 95-JN-FX-0008, at the National Center for Juvenile Justice (NCJJ), contains the most detailed information available on youth involved in the juvenile justice system and on activities of U.S. juvenile courts. In 1990, 1992, and 1994, over 377,000 defendants age 15 or older were formally processed in juvenile courts in a selected number of the Nation's 75 largest counties. Of these defendants, approximately 1.9% were transferred to criminal court by way of *judicial waiver.*

• The **State Court Processing Statistics (SCPS)** program is a biennial data collection on the processing of felony defendants in the State courts of the Nation's 75 largest counties. During May of 1990, 1992, and 1994 an estimated 7,110 defendants under age 18 faced charges in criminal court — about a fourth of whom, based on age, would be considered juveniles by State law.

Difficulties in developing National estimates for the number of juveniles in adult courts:

• Lack of uniform reporting methods by States regarding juvenile transfer statistics, including the mechanisms by which juveniles reach adult courts

• Variation in the definition of *juvenile* offenders across States

• Frequent changes in State statutes defining juvenile court jurisdiction.

Appendix C. Juveniles adjudicated as adults in the Federal system

Juveniles may be adjudicated as adults in the Federal system if the offense charged was a violent felony or drug trafficking or importation and if the offense was committed after the juvenile's 15th birthday. Or, if the juvenile possessed a firearm during a violent offense, the juvenile may be adjudicated as an adult if the offense was committed after the juvenile's 13th birthday.

Before proceeding against a juvenile in Federal court, the U.S. attorney must certify to the court a substantial Federal interest in the case and at least one of the following:

• The State does not have jurisdiction.

• The State refuses to assume jurisdiction.

• The State with jurisdiction does not have adequate programs or services for juvenile offenders.

• The offense charged is a violent felony, a drug trafficking or importation offense, or a firearm offense (18 U.S.C. Section 5032).

While the U.S. Department of Justice does not systematically collect information on juvenile transfers to Federal courts, it is estimated that during the 12 months ending September 30, 1994, 65 juveniles were referred to the Attorney General for transfer to adult status.

Source: Juvenile Delinquents in the Federal Criminal Justice System, 1995, BJS Bulletin, NCJ-163066, 1997, pp. 1-2.

Appendix D. Jurisdictions in the Nation's 75 largest counties used in the State Court Processing Statistics and National Juvenile Court Data Archive samples

State/county	Juveniles in– Adult courts 1990	1992	1994	Juvenile courts 1990	1992	1994
Alabama						
Jefferson			■	■	■	■
Arizona						
Maricopa	■	■	■	■	■	■
Pima			■			
California						
Alameda			■	■	■	■
Contra Costa				■		
Fresno				■		
Los Angeles	■	■	■	■	■	■
Orange	■			■	■	■
Riverside				■		
Sacramento	■	■	■	■		
San Bernardino	■	■	■	■	■	■
San Diego	■	■		■	■	■
San Francisco		■	■	■	■	■
San Mateo				■		
Santa Clara	■	■	■	■	■	■
Ventura			■	■	■	■
Connecticut						
Fairfield				■	■	■
Hartford				■	■	■
New Haven				■	■	■
Dist. of Columbia						
Washington	■	■				
Florida						
Broward	■	■	■			
Dade	■	■	■	■	■	■
Duval	■	■		■	■	■
Hillsborough	■	■	■	■	■	■
Orange			■			■
Palm Beach	■	■		■	■	■
Pinellas	■	■		■	■	■
Georgia						
Fulton	■	■				
Hawaii						
Honolulu	■		■	■		
Illinois						
Cook	■	■	■	■	■	■
Du Page			■			
Kentucky						
Jefferson			■			
Maryland						
Baltimore				■	■	■
Baltimore City			■	■	■	■
Montgomery		■		■	■	■
Pr. George's				■	■	■
Massachusetts						
Essex	■	■				
Middlesex			■			
Suffolk	■	■				

State/county	Juveniles in– Adult courts 1990	1992	1994	Juvenile courts 1990	1992	1994
Michigan						
Wayne	■	■	■			
Minnesota						
Hennepin				■	■	■
Missouri						
Jackson			■	■	■	■
St. Louis		■	■	■	■	■
New Jersey						
Bergen					■	■
Essex	■	■	■			■
Middlesex						■
New York						
Bronx	■	■	■	■	■	■
Erie	■	■	■	■	■	
Kings	■	■	■	■	■	■
Monroe	■	■	■	■	■	■
Nassau				■	■	■
New York	■	■	■	■	■	■
Queens	■	■	■	■	■	■
Suffolk			■	■	■	■
Westchester				■	■	■
Ohio						
Cuyahoga				■	■	■
Franklin				■	■	■
Hamilton	■	■	■			
Oklahoma						
Oklahoma	■	■	■			
Pennsylvania						
Allegheny	■	■	■	■	■	■
Montgomery	■	■		■	■	■
Philadelphia	■	■	■	■	■	■
Tennessee						
Shelby	■	■	■			■
Texas						
Dallas	■	■	■			
Harris	■	■	■			
Tarrant	■	■				
Utah						
Salt Lake	■	■		■	■	■
Virginia						
Fairfax	■	■				
Washington						
King	■	■	■	■	■	■
Wisconsin						
Milwaukee		■	■			

Methodology

State Court Processing Statistics (SCPS)

The sample of juvenile defendants in criminal courts were selected from combined SCPS surveys from 1990, 1992, and 1994. Juvenile status was determined based on State statutes for maximum juvenile court jurisdiction. Age of defendant was age at arrest. In 1994 the maximum age for juvenile court jurisdiction was 17 or younger in 39 States and the District of Columbia (Alabama, Alaska, Arizona, Arkansas, California, Colorado, Delaware, District of Columbia, Florida, Hawaii, Idaho, Indiana, Iowa, Kansas, Kentucky, Maine, Maryland, Minnesota, Mississippi, Montana, Nebraska, Nevada, New Hampshire, New Jersey, New Mexico, North Dakota, Ohio, Oklahoma, Oregon, Pennsylvania, Rhode Island, South Dakota, Tennessee, Utah, Vermont, Virginia, Washington, West Virginia, and Wisconsin).

In eight States the maximum age for juvenile court jurisdiction was 16 (Georgia, Illinois, Louisiana, Massachusetts, Michigan, Missouri, South Carolina, and Texas). In an additional three states, the maximum age for juvenile court jurisdiction was 15 (Connecticut, New York, and North Carolina). For example, in New York all felony defendants 15 and younger in State court were considered to be juveniles by definition and reached criminal court by way of one or more juvenile transfer mechanisms. The mechanism by which these defendants reached criminal courts is unknown. Since 1994 New Hampshire and Wisconsin have lowered their juvenile age status from 17 to 16.

The SCPS sample was designed and selected by the U.S. Bureau of Census under BJS supervision. It is a 2-stage stratified sample, with 40 (or 39 in 1994) of the 75 most populous counties selected at the first stage and a systematic sample of State court felony filings (defendants) within each county selected at the second stage. The 40 (39 in 1994) counties were divided into 4 first-stage strata based on court filing information obtained through a telephone survey. In 1990 and 1992, 14 counties were included in the sample with certainty because of their large number of court filings. The remaining 26 counties were allocated to the 3 non-certainty strata based on the variance of felony court dispositions. In 1994, 12 counties were included in the sample with certainty because of their large number of court filings. The remaining counties were allocated to the three non-certainty strata based on the variance of felony court dispositions.

The second-stage sampling (filings) were designed to represent all defendants who had felony cases filed with the court during the month of May in 1990, 1992, and 1994. The participating jurisdictions provided data for every felony case filed on selected days during that month. In 1990, each jurisdiction provided data for the 5, 10, 15, or 31 days in May from which to sample all felony defendants who had felony charges filed. In 1992 and 1994, each jurisdiction provided data for 1, 2, or 4 weeks' filings in May. Data from jurisdictions that were not required to provide a full month of filings were weighted to represent the full month.

In 1990, data on 13,597 sample felony cases were collected from the 40 sampled jurisdictions, representing 512 weighted juvenile cases in criminal courts during the month of May in the 75 most populous counties. In 1992 data on 13,206 sample felony cases were collected from the 40 sampled jurisdictions, representing 480 weighted juvenile cases in criminal courts during May in the 75 most populous counties. In 1994, 14,691 sample felony cases were collected from the 39 sampled jurisdictions, representing 646 weighted juvenile cases in criminal courts during May in the 75 most populous counties. Cases that could not be classified into one of the four major crime categories (violent, property, drug, or public-order) because of incomplete information were omitted from the analysis. Data collection was supervised by the Pretrial Services Resource Center of Washington, D.C.

For counties found in the SCPS and NJCDA samples see Appendix D.

Because the data came from a sample, a sampling error (standard error) is associated with each reported number. In general, if the difference between two SCPS-generated numbers is greater than twice the standard error for that difference, we can say that we are 95% confident of a real difference and that the apparent difference is not simply the result of using a sample rather than the entire population. All differences discussed in this report were statistically significant at or above the 95-percent confidence level.

National Juvenile Court Data Archive (NJCDA)

Data for juvenile defendants processed in the juvenile courts of the 75 largest counties in 1990, 1992, and 1994 were provided by Howard Snyder of the National Center for Juvenile Justice (NCJJ). The data were provided for counties matching those in the SCPS program for the respective years. The juvenile court sample includes only those youths age 15 or older in formally processed delinquency cases not transferred to criminal court. Defendants processed informally in the juvenile justice system were not included in this analysis. Due to the nature of the sample, standard errors cannot be calculated because the probability of selection was unknown.

In Florida, 67 counties are administered in 11 juvenile justice districts. These districts contain one or more counties, and each county is in only one district. In the juvenile court data, cases from different counties could not be distinguished within a specific district. As a result, this analysis includes data from any Florida district that contains at least one sampled county. The Florida districts included are the following: District 4 (Baker, Clay, Duval, Flagler, Nassau, St. Johns, and Volusia); District 5 (Pasco and Pinellas); District 6 (Hardee, Highlands, Hillsborough, Manatee, and Polk); District 7 (Brevard, Orange, Osceola, and Seminole); District 9 (Indian River, Martin, Okeechobee, Palm Beach, and St. Lucie); District 10 (Broward); and District 11 (Dade and Monroe).

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The Bureau of Justice Statistics is the statistical agency of the U.S. Department of Justice. Jan M. Chaiken, Ph.D., is director.

Shay Bilchik is administrator of the Office of Juvenile Justice and Delinquency Prevention, which is the primary Federal agency responsible for addressing the issue of juvenile crime and delinquency and the problem of missing and exploited children.

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Data used in this report are available from the National Archive of Criminal Justice Data at the University of Michigan, 1-800-999-0960. The BJS data sets are archived as ICPSR 6855, 2344, 6508, 6634, 6882, and 2038.

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